



Europäisches Patentamt  
European Patent Office  
Office européen des brevets



(11) **EP 0 848 060 A3**

(12)

## EUROPEAN PATENT APPLICATION

(88) Date of publication A3:  
**02.02.2000 Bulletin 2000/05**

(43) Date of publication A2:  
**17.06.1998 Bulletin 1998/25**

(21) Application number: **97309647.2**

(22) Date of filing: **01.12.1997**

(51) Int Cl.7: **C12N 15/12, C12N 15/85,  
C12N 5/10, C12N 1/21,  
C07K 14/72, C07K 16/28,  
C12Q 1/68, A61K 31/70,  
A61K 38/17, A61K 48/00,  
G01N 33/50, G01N 33/68**

(84) Designated Contracting States:  
**AT BE CH DE DK ES FI FR GB GR IE IT LI LU MC  
NL PT SE**

(30) Priority: **11.12.1996 US 32763 P**

(71) Applicant: **SMITHKLINE BEECHAM  
CORPORATION  
Philadelphia Pennsylvania 19103 (US)**

(72) Inventors:  
• **Bergsma, Derk J.  
King of Prussia, Pennsylvania 19406 (US)**  
• **Ellis, Catherine E.  
King of Prussia, Pennsylvania 19406 (US)**

(74) Representative:  
**Crump, Julian Richard John et al  
FJ Cleveland,  
40-43 Chancery Lane  
London WC2A 1JQ (GB)**

(54) **Novel human 11CB splice variant**

(57) Human 11cb splice variant polypeptides and DNA (RNA) encoding such an 11cb splice variant and a procedure for producing such polypeptides by recombinant techniques are disclosed. Also disclosed are methods for utilizing such an 11cb splice variant for the treatment of infections, such as bacterial, fungal, protozoan and viral infections, particularly infection caused by HIV-1 or HIV-2; pain; cancers; anorexia; bulimia; asthma; Parkinson's disease; both acute and congestive heart failure; hypotension; hypertension; urinary retention; osteoporosis; angina pectoris; myocardial infarction; ulcers; allergies; benign prostatic hypertrophy and psychotic and neurological disorders, including anxiety, schizophrenia, manic depression, delirium, dementia or severe mental retardation; dyskinesias, such as Huntington's disease or Gilles de la Tourette's syndrome, among others. Antagonists against such an 11cb splice variant and their use as a therapeutic to treat

infections, such as bacterial, fungal, protozoan and viral infections, particularly infection caused by HIV-1 or HIV-2; pain; cancers; anorexia; bulimia; asthma; Parkinson's disease; both acute and congestive heart failure; hypotension; hypertension; urinary retention; osteoporosis; angina pectoris; myocardial infarction; ulcers; allergies; benign prostatic hypertrophy and psychotic and neurological disorders, including anxiety, schizophrenia, manic depression, delirium, dementia or severe mental retardation; and dyskinesias, such as Huntington's disease or Gilles de la Tourette's syndrome, among others, are also disclosed. Also disclosed are diagnostic assays for detecting diseases related to mutations in the nucleic acid sequences and altered concentrations of the polypeptides. Also disclosed are diagnostic assays for detecting mutations in the polynucleotides encoding the 11cb splice variant and for detecting altered levels of the polypeptide in a host.

EP 0 848 060 A3



European Patent  
Office

# PARTIAL EUROPEAN SEARCH REPORT

Application Number

which under Rule 45 of the European Patent Convention shall be considered, for the purposes of subsequent proceedings, as the European search report

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.6)
D,X A	WO 96 18651 A (SMITHKLINE BEECHAM CORP ;BERGSMA DERK JON (US); ELLIS CATHERINE EL) 20 June 1996 (1996-06-20) 99.1% identity in 330 aa overlap 100.0% identity in 1064 bp overlap * the whole document *	1-10,13, 15,16, 18,20 11,19	C12N15/12 C12N15/85 C12N5/10 C12N1/21 C07K14/72 C07K16/28 C12Q1/68
X A	KOLAKOWSKI L ET AL: "Characterization of a human gene related to genes encoding somatostatin receptors" FEBS LETT, vol. 398, no. 2-3, 2 December 1996 (1996-12-02), pages 253-258, XP002916551 * figure 1 *	1-10,13, 15,16, 18,20  11,19	A61K31/70 A61K38/17 A61K48/00 G01N33/50 G01N33/68
			TECHNICAL FIELDS SEARCHED (Int.Cl.6)
			C12N C07K C12Q A61K G01N
INCOMPLETE SEARCH			
<p>The Search Division considers that the present application, or one or more of its claims, does/do not comply with the EPC to such an extent that a meaningful search into the state of the art cannot be carried out, or can only be carried out partially, for these claims.</p> <p>Claims searched completely :</p> <p>Claims searched incompletely :</p> <p>Claims not searched :</p> <p>Reason for the limitation of the search:</p> <p>see sheet C</p>			
Place of search		Date of completion of the search	Examiner
THE HAGUE		26 November 1999	Lonnoy, O
CATEGORY OF CITED DOCUMENTS			
<p>X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document</p> <p>T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date C : document cited in the application L : document cited for other reasons &amp; : member of the same patent family, corresponding document</p>			

EP 0 FORM 1503 03 82 (P/MC/17)



European Patent  
Office

INCOMPLETE SEARCH  
SHEET C

Application Number  
EP 97 30 9647

Although claims 15-17 are directed to methods of treatment of the human/animal body (Article 52(4) EPC), the search has been carried out and based on the alleged effects of the compound/composition.

-----  
Claim(s) not searched:  
12,14,17

Reason for the limitation of the search:

Claims 12, 14 and 17 refer to an antagonist, an agonist and to the use of an antagonist of the polypeptide of claim 10 without giving a true technical characterization. Moreover, no such compound is defined in the application. In consequence, the scope of said claims is ambiguous and vague, and their subject-matter is not sufficiently disclosed and supported (Art. 5 and 6 PCT). No search can be carried out for such speculative claims whose wording is, in fact, a mere recitation of the results to be achieved.



European Patent  
Office

## PARTIAL EUROPEAN SEARCH REPORT

Application Number  
EP 97 30 9647

DOCUMENTS CONSIDERED TO BE RELEVANT			CLASSIFICATION OF THE APPLICATION - (Int.Cl.6)
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	
P, X	<p>DATABASE EMROD E.M.B.L. Databases Accession Number: AF008650, 1 October 1997 (1997-10-01) LAKAYE B ET AL: "Rattus norvegicus somatostatin receptor-like protein (SLC1) mRNA" XP002123215 89.9% identity in 1100bp overlap * abstract * -&amp; LAKAYE B ET AL: "Cloning of the rat brain cDNA encoding for the SLC-1 G protein-coupled receptor reveals the presence of an intron in the gene" BIOCHIM BIOPHYS ACTA, vol. 1401, no. 2, 4 February 1998 (1998-02-04), pages 216-220, XP000856696 * the whole document *</p>	1-11, 13, 15, 16, 18-20	
A	<p>PATEL Y ET AL: "Multiple gene transcripts of the somatostatin receptor SSTR2: tissue selective distribution and cAMP regulation" BIOCHEMICAL AND BIOPHYSICAL RESEARCH COMMUNICATIONS., vol. 192, no. 1, 15 April 1993 (1993-04-15), pages 288-294, XP002123279</p>		TECHNICAL FIELDS SEARCHED (Int.Cl.6)



